

Proposed Keeping of Animals Bylaw 2024/25

We'd like to hear your thoughts on our proposed rules for keeping domestic animals within our city.

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Summary of the proposal

We are proposing to update the existing regulations for keeping domestic animals in the Porirua District.

We are updating the bylaw as our evidence has shown it is not working to prevent and manage nuisance. We are aiming to better prevent nuisance by setting clear limits on numbers of animals in city centre and suburban areas, some clear animal-keeping requirements, and improving the ability of officers to take enforcement action in a timely manner.

Have your say

Key dates

When	What
December 3, 2024	Submissions open
February 10, 2025	Submissions close
March 6, 2025	Submitters present to Te Puna Korero
May 1, 2025	Te Puna Korero deliberates and changes are agreed
May 29, 2025	Keeping of Animals Bylaw adopted

Making a submission

You can find copies of this proposal at all Porirua City libraries, and at our front counter at 16 Cobham Court, Porirua.

You can have your say in several ways:

- Download a submission form at our public consultation website: haveyoursay.porirucity.govt.nz
You can also download a submission form [here](#)
- By email to: policyteam@porirucity.govt.nz with “Keeping of Animals” in the subject line
- By hand at:
 - our front counter at 16 Cobham Court, Porirua City
 - at any of our city libraries
- By post to:
Keeping of Animals Bylaw
Porirua City Council,
PO Box 50218,
Porirua City 5240

Your privacy

All submissions are public information. This supports our drive to be as transparent as possible, but if there are any personal details you don't want made public, please let us know.

Want to know more?

If you have any questions, or would like a little more information, please email us at policyteam@porirucity.govt.nz.

The proposal

Background

Purpose of the bylaw

Domestic animals provide a source of comfort and companionship for a large part of Porirua's population. However, they can also cause nuisance to neighbours if they are not effectively kept in check, particularly in residential areas as the city grows. The rules in the bylaw typically come into play when there are complaints, and the Council must step in to resolve disputes and take steps towards remedial action. The rules in the draft bylaw aim to set out clear guidelines for people keeping animals on their properties without impacting others,

Legal framework

The Local Government Act 2002 and Health Act 1956 gives councils the power to create bylaws to regulate the keeping of animals, bees and poultry and to regulate nuisances. The Porirua City Council General Bylaw Part 7 (Keeping of Animals) is Porirua City's current bylaw used for regulating the keeping of animals.

Under Section 145 and 146 of the Local Government Act 2002, Council may make bylaws for the purposes of protecting the public from nuisance and for the keeping of animals, bees and poultry. Any bylaw must be created for the relevant statutory purpose, and all bylaws must be reasonable. In this instance, Council's bylaw making power is restricted to regulating people who keep animals (as opposed to stray or feral animals). The primary aim of the bylaw is to prevent and regulate nuisance and hold owners accountable for the inconvenience their animals may cause their neighbours. The bylaw is intended to complement existing obligations under other legislation and policy tools, such as the Animal Welfare Act 1999 and the District Plan/Resource Management Act 1991.

What animals does the bylaw cover?

- All domestic animals with human keepers except cats
- Roosters and other crowing animals, as well as poultry
- Pigs, goats and sheep
- Bees
- Rabbits

What animals doesn't the bylaw cover?

As the proposed bylaw does not regulate unowned animals, it does not regulate pests (including pest cats). Issues relating to pest cat management fall to regional councils within set areas, if set out in their pest management plans under the Biosecurity Act 1993. Council is responsible for pests within reserves it controls but does not have any legal ability to manage pests generally.

The proposed bylaw does not include dogs, wild animals or native animals as these are covered under separate legislation and/or policy documents. Council's Dog Control Policy and Bylaw is handled separately under the Dog Control Act 1996. Wild and native animals are handled under the Wildlife Act 1953, and Council does not have any powers under the Wildlife Act 1953.

It also does not regulate animal welfare, as animal welfare is handled under the Animal Welfare Act 1999 and Council does not have any powers to regulate animal welfare under that legislation. Animal owners are required to provide for an animal's welfare under this legislation.

Animals in reserves are handled via Council's Reserves Bylaw and Reserves Act 1977 so animals in reserves are not included in this bylaw.

Reasons for the proposed bylaw

The proposed bylaw has been updated in response to changes in the planning landscape, previous complaints from the public, the experience of Council's enforcement staff as well as feedback from animal welfare organisations and the community. The primary purpose of this consultation is to gather public feedback to determine whether the new rules we are proposing are appropriate and if there is anything else we should consider.

Planning landscape

The review of the bylaw coincides with the introduction of the Proposed District Plan which promotes greater intensification. More intensification means more people are likely to live in closer quarters than before, meaning there is a greater likelihood of being subjected to animal nuisance if appropriate limits are not put in place now.

Previous animal nuisance complaints

Complaint evidence shows the current rules have proven ineffective at efficiently regulating or preventing nuisance. The existing provisions do little to create limits for owners to reduce the chances of nuisance taking place. The proposed new enforcement provisions aim to set clear limits to prevent nuisance in the first place and make it easier for enforcement officers to resolve nuisance complaints in a timely manner.

Feedback from specialist animal organisations and prior Council consultations

As part of early pre-consultation we received feedback from the SPCA, ApicultureNZ and the Wellington Beekeepers Club and some members of the public. The beekeeping community and public feedback have helped to inform the beekeeping limits in this version of the bylaw. We have also received feedback from the public through previous consultations and the SPCA, who have asked us to consider mandatory desexing and microchipping of cats.

The proposed bylaw

We want the proposed bylaw to fulfil its intent of reducing nuisance by providing clear, practical guidelines for animal keepers and providing enforcement powers that make it easier for officers to resolve complaints efficiently and effectively. Any regulation of animals needs to carefully balance the right of keepers to enjoy their animals and the right of neighbours to have quiet enjoyment of their property without unreasonable interference.

The numbered limits on animals generally affect those living in suburban areas and city centre areas only. Rural residents will not be affected by the limits as they typically have larger properties but will still be required to ensure their animals do not cause nuisance under the general obligations section.

Proposed provisions by subject area and animal type

General obligations for all animal keepers

- We are retaining some rules that require the prevention of nuisance but expanding it to require owners to ensure their animals do not cause property damage.
- We are also retaining the requirement to contain animals except bees and cats, as wandering animals continue to be a source of nuisance (according to our complaint evidence).

Nuisance

The term 'nuisance' is being retained, as it acts as a catch-all term with too many variations to name in a bylaw. Defining nuisance is difficult and depends on the situation. Nuisance is a subjective term – what might be a nuisance for some may not be for others. Therefore, it is important that any new rules provide clear pathways for both animal keepers and those who are experiencing impact from animals.

Nuisance can include any state that may threaten human health or unreasonably interfere with the right of neighbours to enjoy their property. This can include, but is not limited to bad smells, property damage, or wandering animals on public roads that could cause accidents. Before determining whether a complaint amounts to nuisance, officers will visit affected properties, gather as much evidence as they can, and work with complainants and owners to find a solution.

We have summarised the proposed bylaw by animal type and provision below.

Summary of updates – general obligations when keeping animals

Current bylaw	Proposed bylaw	Pros and Cons of the proposal
Keepers must ensure animals do not cause nuisance to another person or endanger health and safety	Retained, but slightly reworded for clarity. Expanded to include property damage	<p>Pros of proposal</p> <p>Nuisance continues to be an issue throughout Porirua as seen in complaint evidence.</p>
		<p>Cons of proposal</p> <p>Nuisance is difficult to define and can still be interpreted in different ways. However, including property damage, limits on numbers, and stronger enforcement provisions in general will minimise the instances where officers are assessing cases purely on the definition of nuisance.</p>
Keepers must contain their animals (except bees and cats)	Retained	<p>Pros of proposal</p> <p>Complaint evidence shows poorly contained animals tend to cause damage to property and danger to motorists (in the case of stock)</p>
		<p>Cons of proposal</p> <p>Requirement to contain could cause additional costs to owners who have previously not contained their animals.</p>
	If disposing of an animal, must do so in a way that does not cause nuisance.	<p>Pros of proposal</p> <p>This was included in response to feedback that some in our community keep animals temporarily for slaughter. Killing an animal can be messy, and can result in waste that could cause nuisance if not managed appropriately.</p>

Cats

Our proposed update to the bylaw has two parts that we are seeking feedback on:

- Including cats in our rules as it is currently not included, and
- Requiring cat owners to desex, microchip and register their cat

Why?

Our current rules do not cover cats, meaning owners of cats were not subject to any rules.

- Desexing reduces the number of unwanted litters, improves welfare for these animals, and positively impacts the environment. Microchipping is a great way to help owners be reunited with their lost pets.
- Cats are a beloved household pet for a large number of Porirua's residents with over 6000 registered in Porirua¹). As the city grows, there may be a case to include cats in our rules.
- Our complaint evidence already shows some nuisance issues relating to cats, mainly from cat hoarding and colonies.
- Feral and stray cats continue to be an issue and our neighbouring councils have taken steps to addressing this by requiring people to desex their cats as a means to preventing future issues.

¹ NZ Companion Animals Register as of July 2024

What doesn't it cover?

Any new rules won't cover regulation of feral cats, as they aren't owned by anyone. Our proposed new rules around desexing cats are aimed at reducing future feral cat populations. Any new rules we introduce are not intended to be a complete solution to cat predation but it may play a small part in the wider solution.

How would this be enforced?

- Proposed new rules about microchipping and desexing are aimed at long-term behaviour change. Similar to our other bylaws, we respond and investigate if there are complaints but we won't be actively checking whether all cats in Porirua are microchipped or desexed. Should these be introduced, we will first focus on education and likely have a delayed introduction date.
- Council can respond if cats are causing a nuisance. The proposed new rules provide more provisions to investigate and reduce this nuisance if owned cats are unreasonably impacting on others, or if they are offensive or causing a danger to health.
- The management of feral and stray cat populations are enforced across a range of agencies. Feral and stray cat issues are generally handled by animal rescues, the SPCA, private individuals, and Greater Wellington Regional Council (if at a site where cats are a pest under their pest management plan). Feral, stray and outdoor cats may be handled by educational initiatives such as encouraging owners to keep their cats inside, or active pest control measures such as shooting or trapping.

Wouldn't this be expensive?

- Many cat owners already choose to microchip and desex their cats. Data shows that there are about 1.2 million owned cats in New Zealand and only 146,000 of those are not desexed². As registering cats is not mandatory, it is challenging to get the data for Porirua but this information provides some guidance that desexing is a common practice of many cat owners already.
- We acknowledge that any changes would take time to introduce, and there may be some barriers with cost. In response to this, any changes would have a delayed introduction date to ensure that time was taken to provide education and connections to reduced cost initiatives for both desexing and microchipping. For example, the SPCA runs a national 'Snip 'n Chip' Programme³ and any cats adopted through the SPCA are already desexed and microchipped.
- Council already receives complaints about cats. Having stronger provisions in our bylaw coupled with clearer remedial pathways (either through Council or other agencies) will enable us to be more efficient in our responses. Should these rules go ahead, we won't require any additional staff.

What about wildlife?

Porirua is lucky to have an abundance of native wildlife. All cats can hunt native wildlife, including cats that are owned and well-fed. No Councils currently require confinement of cats as part of their bylaws as the cost and logistics of enforcement would be extremely challenging. However, many Councils include guidelines (separate to the legal rules) that promote actions cat owners can take to reduce the impact on wildlife.

² <https://www.companionanimals.nz/publications>

³ <https://desexing.sPCA.nz/about>

For example, below are some guidelines that are currently on the Wellington City Council website⁴ accompanying their bylaw:

- Put in place a cat curfew. This involves keeping your cat indoors at night, reducing the chances of them hunting wildlife.
- Monitored outdoor time. Keeping an eye on your cat while they play outside means that you're also able to monitor for native birds or other visitors.
- Avoid using bird feeders in your backyard. This creates a place where birds could congregate in high numbers, making them easy prey for cats.
- Anti-predation collars or attaching a bell to a quick release collar can help reduce harm to wildlife. We encourage the use of [smart cat collars](#). Pair the smart cat collar with a bell and you can further enhance bird safety.

You can take responsible cat ownership a step further by keeping them indoors. There are many benefits to keeping your cat contained inside. Contained cats have been shown to live longer lives as they do not encounter risks that roaming cats do, such as vehicles, predators, poisons, and disease. If you plan to keep your cat indoors, ensure you provide your cat with enough mental stimulation while they live indoors. A great option for this is to get a 'catio' – an outdoor cat enclosure where cats can enjoy outside life while staying contained.

We aren't currently looking to include any provisions in our proposed new bylaw about the confinement of cats, however, we are open to hearing feedback and ideas on what Council could consider in this space.

What are the other benefits of desexing and microchipping?

Desexing

- A female cat can start reproducing from the age of 5 months and can have as many as 4 litters of up to 6 kittens every year. By providing some rules about desexing, there may be a reduction in the number of unwanted cats and kittens. Unwanted kittens can often lead to future feral cat populations. These can cause a health risk and are also a threat to our wildlife population.
- Cats which aren't desexed are more likely to roam and be a victim of road traffic injuries. They are also more likely to fight with other cats. This can lead to injuries and infections - and for owners this can also result in expensive vet bills.
- Desexing eliminates risks associated with pregnancy, giving birth, and raising young.
- Desexing reduces the risk of reproductive cancers in both female and male cats, leading to an increase in lifespan.
- It prevents reproductive cycle behaviour such as yowling, crying and calling and reduces aggression and nuisance behaviours in male cats.
- Further information about desexing can be found on the SPCA website at [link](#).

Microchipping

- Microchipping allows vets, animal shelters and Council to contact the owner of a cat if it is lost or hurt. If there is a civil defence emergency, having a microchipped cat makes it easier to reunite that cat with its owner. Microchips are reliable, unlike cat collars, which often come undone and fall off.
- Microchipping is recommended as best practice by the Ministry for Primary Industries in their Companion Cats - Code of Welfare 2007.
- Further information about microchipping can be found on the SPCA website at this [link](#) and [link](#).

⁴ <https://wellington.govt.nz/dogs-and-other-animals/cats/responsible-cat-ownership>

Current bylaw	Proposed bylaw	Pros and Cons of the proposal
Cats are explicitly excluded from the bylaw	<p>Cats will be included in the bylaw as a regulated animal. This means owners of cats are now subject to the bylaw's requirements to prevent nuisance and its penalty provisions.</p> <p>Introducing a requirement to desex from four months</p>	<p>Pros of proposal</p> <p>Previously officers had to revert to the Health Act. The Health Act has a higher bar for defining nuisance; it can only really be used where an animal is kept in a manner that is offensive or injurious to health, as opposed to interfering with quiet enjoyment. The new bylaw means officers can take action where an animal is determined to be causing unreasonable interference with a neighbours' enjoyment of their property and also enables officers to use the stronger penalties under the Local Government Act if needed (max penalty of \$20k vs \$500 under the Health Act).</p> <p>Cons of proposal</p> <p>The inclusion of cats in the bylaw does not extend to pest management of cats, which some may feel does not go far enough. It does not explicitly address wildlife predation issues related to cats. We are considering supplementing this with guidelines and education for cat owners.</p>
Keepers must contain their animals (except bees and cats)	Introducing a requirement to desex from four months/16 weeks	<p>Pros of proposal</p> <p>The provision is aimed at requiring owners to take action to ensure their cats do not reproduce and create unwanted cats that are more likely to become stray or feral. Our complaint evidence shows unwanted cats cause nuisance by creating colonies of stray cats. As an aside, desexing also reduces the chances of mammary cancer in cats. The recommendation is in alignment with the Environment Select Committee's recommendations to Government on national legislation for registration, microchipping and desexing of cats.</p> <p>Cons of proposal</p> <p>Difficult to enforce. Desexing also imposes a cost on cat owners. We are aiming to mitigate the financial impact by delaying introduction by a year to give people time, but understand due to cost pressures it may cause unnecessary hardship to introduce this now. Not everyone is likely to agree with this provision.</p>
	Introducing requirement to microchip and register with the New Zealand Companion Animals Register (NZCAR)	<p>Pros of proposal</p> <p>This is aimed at promoting good keeping practice. Microchipping assists identification in natural disasters or if an animal is hurt.</p> <p>Cons of proposal</p> <p>As above – microchipping is an additional cost to pet owners. Compliance is voluntary and difficult to enforce. Not everyone is likely to agree with this provision.</p>

	Introducing requirement to register microchip with New Zealand Companion Animals Register (NZCAR)	<p>Pros of proposal</p> <p>The NZCAR is a national register. The alternative is that a cats' microchip is only registered at its vet clinic, making it useless if the cat is not taken to that clinic for identification. While dogs have a national database run by Internal Affairs, there is no government-run equivalent for cats.</p>
		<p>Cons of proposal</p> <p>As above – microchipping and registration is an additional cost to pet owners. Compliance is voluntary and difficult to enforce. Not everyone is likely to agree with this provision.</p>

Beekeeping

Bees are currently the only animal with their own section in the bylaw.

Our updates to the bylaw aim to consider their essential role as pollinators. We want to ensure bees continue to benefit the environment, and ensure hobbyists continue to enjoy their hobby while allowing neighbours to live without unreasonable interference to the quiet enjoyment of their property. The proposed limits were set with Apiculture NZ and Wellington Beekeeper Club input, who support the proposed limits and requirements. These limits are also in line with the limits set by other councils in the country and best practice around beekeeping.

We are proposing introducing a limit on beehive numbers in most areas except rural areas. This includes suburban areas, city centre and industrial areas, as our complaint evidence shows too many beehives in one area causes nuisance from travelling bees leaving excrement on neighbours' windows. The proposed limits aim to provide a clear limit beekeepers can follow to reduce the chances of nuisance but may cause inconvenience for beekeepers in suburban areas who exceed these limits. Any limit will have a delayed introduction date to give owners time to comply.

The maximum numbers are as follows:

Total lot size of property in suburban areas, city centre and industrial areas	Number of beehives
Under 500m ²	No beehives allowed
501-1000m ²	2
1000m ² and above	4

We are also proposing some additional changes, listed below.

Current bylaw	Proposed bylaw	Pros and Cons of the proposal
Must register with ApicultureNZ (ApiNZ) and adhere to their code of conduct	Removed	<p>Pros of proposal</p> <p>ApiNZ is an advocacy body, plus most beekeepers are already in clubs that are members. Difficult to enforce and does not meaningfully prevent nuisance.</p> <p>Cons of proposal</p> <p>Removing this means the bylaw has no requirement for beekeepers to follow best practice. We have aimed to mitigate this impact by introducing requirements to maintain a source of water nearby and manage flight paths to ensure they do not cause nuisance. We are also looking to introduce guidelines for beekeepers to complement the bylaw.</p>
	Introducing limit on beehives based on section size	<p>Pros of proposal</p> <p>Clear, practical limit for beekeepers. Aimed at chances of nuisance caused by too many bees in an area. Proposed limits approved by beekeeping experts.</p> <p>Cons of proposal</p> <p>May not totally resolve nuisance issues from bees flying; as bee behaviour depends on a wide range of factors such as wind, available food, sunlight and density of hives in the surrounding area.</p>
Must gain permission from all affected neighbours and inform new neighbours of existing hives	Removed	<p>Pros of proposal</p> <p>'Affected neighbours' is not clearly defined in the bylaw, and as bees can travel hundreds of metres from their house this makes it impractical for beekeepers to do. In addition, neighbours can still revoke their consent later on. This requirement is impractical for beekeepers and does not really help prevent nuisance</p> <p>Cons of proposal</p> <p>Some neighbours may prefer to be informed if beehives are set up near them.</p>
No person may keep hives if the keeping of bees is injurious to health or likely to cause a nuisance.	Retained	<p>Pros of proposal</p> <p>Similar to general provisions above – complaint evidence and officer feedback shows nuisance from beekeeping continues to be an issue.</p> <p>Cons of proposal</p> <p>None.</p>

	<p>Officers may remove hives if believed to be causing nuisance</p>	<p>Pros of proposal</p> <p>Determining whose bees is causing nuisance is difficult in an area with multiple beekeepers. For this reason it is practical to give discretion to move hives if they believe there is nuisance as causation is difficult to prove otherwise. Note that officers will not remove beehives without first gathering evidence and talking to complainants/owners to determine whether there is a nuisance. Removing beehives also requires a warrant under the Search and Surveillance Act 2012, so this ability is not unfettered.</p> <p>Cons of proposal</p> <p>None, given limits on exercise of officers' powers.</p>
	<p>Provide adequate water source</p>	<p>Pros of proposal</p> <p>Bees travelling to find water leads to nuisance; by providing a source of water bees are less likely to congregate near neighbours' pools and leave excrement on their way to water</p> <p>Cons of proposal</p> <p>Difficult to actively enforce. However, this is part of good beekeeping practice anyway.</p>
	<p>Ensure flight path of the bees does not create nuisance</p>	<p>Pros of proposal</p> <p>Poorly positioned flight path may cause nuisance to users e.g. bees flying at head height. Flight paths can be controlled somewhat by keepers, thus it is reasonable keepers be held responsible for their bees' flight paths</p> <p>Cons of proposal</p> <p>Difficult to actively enforce. However, this is part of good beekeeping practice anyway.</p>

Stock animals

We have reviewed the bylaw's provisions related to stock animals and are looking to tighten up the requirements, particularly due to complaints about sheep wandering in suburban areas.

Current bylaw	Proposed bylaw	Pros and Cons of the proposal
Pigs, goats, not permitted within 100m of City Centre or Suburban Zones	General ban on stock animals introduced within city centre and suburban zones.	<p>Pros of proposal</p> <p>Complaint evidence shows stock animals have been cause nuisance issues from breaking out and wandering on suburban roads. Animals tend to exhibit nuisance behaviour via distress from being kept in unsuitable environments for their needs e.g. distressed bleating from sheep unable to wander and kept without a companion.</p> <p>Cons of proposal</p> <p>We have received anecdotal evidence that some people like to keep animals for a temporary period, whether for shows or for slaughter. The proposed bylaw in its current form may inadvertently prohibit people from doing this.</p>
Sheep and rabbits not permitted in City Centre zone only	<p>Sheep now included in general stock ban in suburban zones and city centre.</p> <p>Rabbits still banned in city centre zone</p>	<p>Pros of proposal</p> <p>Complaint evidence shows sheep in suburban areas are a nuisance to neighbours and a danger to motorists.</p> <p>Rabbits can overrun a given area very fast. 100m buffer removed to ensure households are not inadvertently prohibited from keeping rabbits</p> <p>Cons of proposal</p> <p>May result in inconvenience for a small number of owners of stock animals in suburban areas.</p>
Bylaw names pigs, sheep, goats as specific animals restricted under bylaw	Wider definition of stock includes but is not limited: bulls, donkeys, llamas, goats, boars etc	<p>Pros of proposal</p> <p>Wider definition of stock included for completeness. Large stock animals are generally unsuitable for suburban sections and can exhibit nuisance behaviour when kept in sections too small for their size e.g. smells from excrement, animal noises.</p> <p>Cons of proposal</p> <p>As above.</p>

Roosters and poultry

A summary of the proposed restrictions on roosters and poultry are set out below.

Current bylaw	Proposed bylaw	Pros and Cons of the proposal
similar crowing animals are prohibited within 100m of the City Centre and Suburban Zones as defined by the proposed District Plan	The ban on crowing animals will continue. 100m buffer zone removed	<p>Pros of proposal</p> <p>Complaint evidence shows crowing roosters continue to form the majority of poultry-related complaints.</p> <p>Cons of proposal</p> <p>None. May cause inconvenience to owners of roosters.</p>
Poultry prohibited within 100m of City Centre	Ban on poultry retained in city centre, but 100m buffer removed	<p>Pros of proposal</p> <p>Poultry can cause a hazard to motorists if running amok in the city centre, and they also take officer time and resources to manage. They may also be a visual nuisance.</p> <p>Cons of proposal</p> <p>None</p>
No limit on poultry numbers	Limit of 6 poultry in suburban areas	<p>Pros of proposal</p> <p>A limit will enable Council to have more enforcement abilities as intensification continues.</p> <p>Cons of proposal</p> <p>The limit may be too restrictive for its intent of preventing nuisance and may result in relocating costs and inconvenience for existing poultry owners if enacted. We are open to feedback on an appropriate limit.</p>
No clear definition of term 'poultry'	New definition of poultry introduced	<p>Pros of proposal</p> <p>A set definition of poultry with a range of poultry animals named has been included to assist enforcement and provide clarity.</p> <p>Cons of proposal</p> <p>None.</p>

Enforcement

At present, Council's approach to enforcing the bylaw relies on complaints from the public. When a complaint is received Council will:

- a. investigate the complaint
- b. speak to those affected,
- c. gather evidence and work together to find a solution.

Complaint evidence has shown that proving nuisance from an animal has taken a significant amount of officer time and resulted in unnecessarily protracted complaints.

In response to our complaint evidence, the proposed bylaw has been updated with the ability to issue a written notice requiring a keeper to act if the bylaw has been breached. Breaching a notice issued by an officer is an offence under the bylaw. This provision is intended to make enforcement more efficient, by allowing officers to act if they have gathered enough evidence to believe a nuisance exists. It is aimed at streamlining enforcement and reducing officer time and cost when resolving nuisances.

The enforcement section also includes an explanatory note to make it clearer what actions could be requested under the existing legislation. Taking enforcement action under the Local Government Act 2002 is rare; it is more common for nuisances to be resolved between Council and owners before getting to that stage.

For clarity, a penalties section and savings section has been added to make it clear the previous bylaw will be revoked when this one is passed, and to make it clear what happens to any prior permits issued under the last bylaw.

Other minor updates – updated definitions, interpretation section subclauses, explanatory notes

The draft bylaw has updated references to correct outdated references and align with the Proposed District Plan. Some terms have also been updated for clarity, such as the definition of owner, property and authorised officer. As mentioned above, a definition of stock and poultry has been added to include a wider range of domestic animals, and the term beehive has been included to make enforcing the proposed hive number limits easier. The term keeper has been updated to include registered owners.

Additional subclauses have been added to the interpretation section for clarity, including subclauses around the bylaw's relationship with resource management legislation and additional guidance around undefined words.

The draft bylaw also includes explanatory notes. Explanatory notes do not form part of the bylaw but are included to help users understand the bylaw better or make interpretation easier.

Determinations

By law, Council is required to make certain determinations when reviewing or creating a bylaw under the Local Government Act.

When reviewing a bylaw. Council must first:

- determine whether a bylaw is the most appropriate way of addressing the perceived problem.
- if a bylaw is the most appropriate way of addressing the problem, determine whether the form of the proposed bylaw is the best way to address the problem and whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act.

We have determined a bylaw continues to be the most appropriate way of regulating the keeping of animals. Council officers would have to regulate health-related nuisance via the Health Act. However, the Health Act does not really give officers the ability to step in if an animal is merely causing unreasonable interference to enjoyment of property. The advantage of the bylaw is that it can regulate animal keeping in a manner appropriate to Porirua's needs and complement existing legislative requirements.

We have considered whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act and concluded there are no major implications. The bylaw restricts the right to keep animals, but it is considered the restrictions are reasonable and proportionate to address public health and nuisance issues.

Please note the bylaw does contain reference to powers to seize property under the Local Government Act. However, the powers to seize property on private land must not be exercised without a warrant issued under the Search and Surveillance Act 2012. It is therefore considered the ability to seize animals and property materially involved in the commission of an offence is a reasonable restriction of the right under the Bill of Rights Act.

Submission form

Submission form

We'd love your feedback on the proposed Keeping of Animals Bylaw to assist our Council in their decision-making.

Privacy

All submissions are public information. We do not publish contact details or demographic information. We collect demographic information to help us understand what areas of the community we are reaching.

Your details

We'd like to know a little more about you

First name		Last name	
Suburb			
Email			
Age (please circle)	(15 or under) (16-25) (26-35) (36-45) (46-55) (56-65) (66-75) (76 or over)		
Ethnicity			
Gender			

Please withhold my name from being published. *Please note, your name must be public if you are presenting your submission in person, or you are representing an organisation. Contact details or demographic data will not be made public.*

Are you submitting on behalf of a group, such as an organisation, club, business, or residents' association? *Please note: if this is not your place of work, please ensure you have permission to make a submission on behalf of the group.*

If yes, please provide the name of the group:

Presenting your submission in person

Would you like to present your submission to Council? The hearing date for this consultation is scheduled for March 6, 2025.

Yes No

If yes, please provide a phone number so we can get in touch:

Your feedback

You can leave your feedback on the proposal here, or complete the 'your details' section above and attach your feedback.

Please select your preferred option and provide reasons where possible.

Q1: General provisions:

Is it necessary to include a requirement to ensure an animal is disposed of without causing nuisance?

Are the obligations to prevent nuisance set out well? Could this be improved?

Yes No Partially

Do you have any other comments about this section?

Yes No Partially

Please provide any comments you would like to add below.

Q2: Cats

Questions for you:

Do you think we should include cats as an animal covered by the bylaw?

Yes No Partially

Do you think we should require mandatory desexing?

Yes No Partially

Do you think we should require mandatory microchipping?

Yes No Partially

Do you think Council could include any other ways to regulate cats in the bylaw?

Yes No Partially

If you want to address cats' impact on wildlife, what other non-bylaw means could Council consider to encourage this?

Please provide any comments you would like to add below.

Q3: Beekeeping

Questions for you:

Do you agree with the proposed requirements in the bylaw? Yes No Partially

Do you think Council could include any other ways to regulate beekeeping in the bylaw?

Yes No Partially

Please provide any comments you would like to add below.

Q4: Stock (including rabbits)

Questions for you:

Do you agree on the proposed bans and the proposed areas? If not, why? Yes No Partially

Do you agree on the proposed definition of stock? Yes No Partially

Do you have any other comments?

Please provide any comments you would like to add below.

Q5: Roosters and poultry

Do you agree with the proposed 6 limit on poultry in suburban areas? If not, what would be an appropriate limit?

Yes No Partially

Do you agree with the proposed definition of poultry in the bylaw?

Yes No Partially

Do you agree with the bans on roosters and poultry as described above?

Yes No Partially

Please provide any comments you would like to add below.

Q6: Enforcement

Do you have any comments about the proposed ability for officers to issue notices?

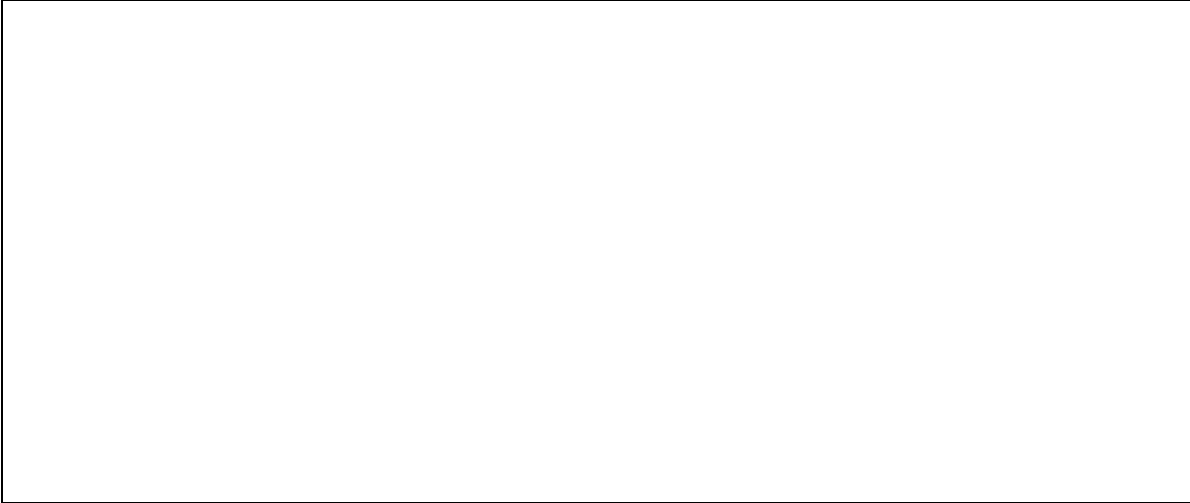
Do you have any other comments about the enforcement provisions? Please provide any comments you would like to add below.

Q7: Explanatory notes and definitions

Do you have any feedback about the definition section or explanatory notes? Please provide any comments you would like to add below.

Q8: Further comments

Do you have any other feedback you would like us to consider? Please provide any comments you would like to add below.

A large, empty rectangular box with a thin black border, intended for the user to provide their feedback or comments.